

FILED

MAR 12 2013

N.J. BOARD OF NURSING

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

DANA KUEHNE, R.N.
License # 26NO11433800

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a registered nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about June 21, 2012, the Board sent an inquiry to respondent at her address of record, posing questions which included a request to document continuing education completed within the past three years, which included the biennial renewal period of June 1, 2010 – May 31, 2012.
3. Respondent provided documentation of thirty (30) contact hours of continuing education completed on July 18, 2012.

4. Respondent renewed her New Jersey nursing license on or about May 19, 2012, at which time she indicated that she would have completed required continuing education for the June 1, 2010 – May 31, 2012 renewal period by May 31, 2012.

5. Pursuant to N.J.A.C. 13:37-5.3, respondent was required to have completed thirty (30) hours of continuing education during the biennial renewal period of June 1, 2010 - May 31, 2012.

CONCLUSIONS OF LAW

Respondent's failure to timely complete required continuing education for the June 1, 2010 – May 31, 2012 renewal period subjects respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her renewal application that she would have timely completed continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period constitutes misrepresentation within the intendment of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline imposing a reprimand and a two hundred and fifty dollar (\$250) civil penalty was entered on November 13, 2012. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent responded to the Provisional Order of Discipline by providing an employee transcript of multiple "in-service" classes she completed to presumably satisfy requirements of her employer. However, a review of the transcript also reveals that none of the in-service classes completed in the June 1, 2010 – May 31, 2012 biennial period qualify as "CEUs" (Continuing Education Units), listed as "Secondary Credit Type" on the transcript. Respondent also provided a copy of her Advanced Cardiovascular Life Support (ACLS) card, Pediatric Advanced Life Support (PALS) card, and Basic Life Support (BLS) card, but failed to provide any certificates indicating how many hours or units of continuing education had been awarded. Certificates are necessary to determine the number of hours or units awarded, especially in light of the fact that continuing education hours are no longer awarded for any of those programs. Respondent further maintained that at the time she renewed her license online, she was under a great deal of personal stress.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Respondent failed to demonstrate, to the satisfaction of the Board, completion of any hours of continuing education during the June 1, 2010 – May 31, 2012 biennial renewal period. Respondent provided a false answer on her renewal by indicating that she had, or would, complete thirty hours of continuing education by May 31, 2012 and then not completing them until July 2012, after the Board sent her an inquiry.

ACCORDINGLY, IT IS on this 12th day of Mar., 2013

ORDERED that:

1. A public reprimand is hereby imposed for the violation of N.J.S.A. 45:1-21(b).
2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed for the violation of N.J.A.C. 13:37-5.3. Payment shall be made by certified check or money order payable to "State of New Jersey," delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.
3. Continuing education completed on July 18, 2012 and applied to cure the deficiency in the June 1, 2010 – May 31, 2012 continuing education requirements shall not be used to satisfy the continuing education requirements of the June 1, 2012 – May 31, 2014 renewal period. Respondent shall complete an additional thirty hours of continuing education prior to May 31, 2014 to satisfy the requirements of the June 1, 2012 – May 31, 2014 biennial period.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN
Patricia Ann Murphy, PhD, APN
Board President